

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 023US2	Application No. 12/428,081
Information Disclosure Statement by Applicant (Use several sheets if necessary)		Applicant Patrick Miles et al.	
(37 CFR §1.98(b))		Filing Date April 22, 2009	Group Art Unit 3739

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
/Y.P./	1	208,227	09/24/1878	Dorr			
	2	972,983	10/18/1910	Arthur			
	3	1,328,624	1/20/1920	Graham			
	4	1,548,184	8/4/1925	Cameron			
	5	2,704,064	6/15/1955	Fizzell et al.			
	6	2,736,002	2/21/1956	Oriel			
	7	2,808,826	10/8/1957	Reiner et al.			
	8	3,364,929	1/23/1968	Ide et al.			
	9	3,664,329	5/23/1972	Naylor			
	10	3,682,162	8/8/1972	Colyer			
	11	3,785,368	1/15/1974	McCarthy et al.			
	12	3,830,226	8/20/1974	Staub et al.			
	13	3,957,036	5/18/1976	Normann			
	14	4,099,519	7/11/1978	Warren			
	15	4,164,214	8/14/1979	Stark et al.			
	16	4,207,897	6/17/1980	Lloyd et al.			
	17	4,224,949	9/30/1980	Scott et al.			
	18	4,226,228	10/7/1980	Shin et al.			
	19	4,235,242	11/25/1980	Howson et al.			
	20	4,285,347	8/25/1981	Hess			
	21	4,291,705	9/29/1981	Severinghaus et al.			
	22	4,461,300	7/24/1984	Christensen			
	23	4,515,168	5/7/1985	Chester et al.			
	24	4,519,403	5/28/1985	Dickhadt			
	25	4,545,374	10/8/1985	Jacobson			
	26	4,561,445	12/31/1985	Berke et al.			
	27	4,562,832	1/7/1986	Wilder et al.			

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/Y.P./	28	4,573,448	3/4/1986	Kambin			
	29	4,592,369	6/3/1986	Davis et al.			
	30	4,595,018	9/17/1986	Rantala			
	31	4,633,889	1/6/1987	Talalla			
	32	4,658,835	4/21/1987	Pohndorf			
	33	4,744,371	5/17/1988	Harris			
	34	4,759,377	7/26/1988	Dykstra			
	35	4,784,150	11/15/1988	Voorhies et al.			
	36	4,807,642	2/28/1989	Brown			
	37	4,892,105	1/9/1990	Prass			
	38	4,926,865	5/22/1990	Oman			
	39	4,962,766	10/16/1990	Herzon			
	40	4,964,411	10/23/1990	Johnson et al.			
	41	5,007,902	4/16/1991	Witt			
	42	5,058,602	10/22/1991	Brody			
	43	5,081,990	1/21/1992	Deletis			
	44	5,092,344	3/3/1992	Lee			
	45	5,127,403	7/7/1992	Brownlee			
	46	5,161,533	11/10/1992	Prass et al.			
	47	5,196,015	3/23/1993	Neubardt			
	48	5,255,691	10/26/1993	Otten			
	49	5,282,468	2/1/1994	Klepinski			
	50	5,284,153	2/8/1994	Raymond et al.			
	51	5,284,154	2/8/1994	Raymond et al.			
	52	5,299,563	4/5/1994	Seton			
	53	5,312,417	5/17/1994	Wilk			
▼	54	5,313,956	5/24/1994	Knutsson et al.			

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U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
/Y.P./	55	5,327,902	7/12/1994	Lemmen			
	56	5,333,618	8/2/1994	Lekhtman et al.			
	57	5,375,067	12/20/1994	Berchin			
	58	5,383,876	1/24/1995	Nardella			
	59	5,450,845	9/19/1995	Alexgaard			
	60	5,474,558	12/12/1995	Neubardt			
	61	5,480,440	1/2/1996	Kambin			
	62	5,482,038	1/9/1996	Ruff			
	63	5,484,437	1/16/1996	Michelson			
	64	5,540,235	7/30/1996	Wilson			
	65	5,549,656	8/27/1996	Reiss			
	66	5,560,372	10/1/1996	Cory			
	67	5,566,678	10/22/1996	Cadwell			
	68	5,579,781	12/3/1996	Cooke			
	69	5,593,429	1/14/1997	Ruff			
	70	5,599,279	2/4/1997	Slotman et al.			
	71	5,630,813	5/20/1997	Kieturakis			
	72	5,667,508	9/1/1997	Errico et al.			
	73	5,671,752	9/30/1997	Sinderby et al.			
	74	5,707,359	1/13/1998	Bufalini			
	75	5,711,307	1/27/1998	Smits			
	76	5,728,046	3/17/1998	Mayer et al.			
	77	5,741,253	4/21/1998	Michelson			
	78	5,759,159	6/1/1998	Masreliez			
	79	5,775,331	7/7/1998	Raymond et al.			
	80	5,776,144	7/7/1998	Leysieffer et al.			
	81	5,772,661	6/30/1998	Michelson			



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Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
/Y.P./	82	5,779,642	4/14/1998	Nightengale			
	83	5,785,658	7/28/1998	Benaron			
	84	5,797,854	8/25/1998	Hedgecock			
	85	5,814,073	9/29/1998	Bonutti			
	86	5,830,151	11/3/1998	Hadzic et al.			
	87	5,851,191	12/22/1998	Gozani			
	88	5,853,373	12/29/1998	Griffith et al.			
	89	5,860,973	1/19/1999	Michelson			
	90	5,862,314	1/19/1999	Jeddeloh			
	91	5,872,314	2/16/1999	Clinton			
	92	5,885,219	3/23/1999	Nightengale			
	93	5,888,196	3/30/1999	Bonutti			
	94	5,902,231	5/11/1999	Foley et al.			
	95	5,928,139	7/27/1999	Koros et al.			
	96	5,928,158	7/1/1999	Aristides			
	97	5,976,094	11/2/1999	Gozani et al.			
	98	6,004,262	12/21/1999	Putz et al.			
	99	6,027,456	2/22/2000	Feler et al.			
	100	6,038,469	3/14/2000	Karlsson et al.			
	101	6,038,477	3/14/2000	Kayyali			
	102	6,050,992	4/18/2000	Nichols			
	103	6,074,343	6/13/2000	Nathanson et al.			
	104	6,104,957	8/15/2000	Alo et al.			
	105	6,104,960	8/15/2000	Duysens et al.			
	106	6,120,503	9/19/2000	Michelson			
	107	6,132,386	10/17/2000	Gozani et al.			
	108	6,132,387	10/17/2000	Gozani et al.			



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U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
/Y.P./	109	6,135,965	10/24/2000	Tumer et al.			
	110	6,139,493	10/31/2000	Koros et al.			
	111	6,146,335	11/14/2000	Gozani			
	112	6,161,047	12/12/2000	King et al.			
	113	6,181,961	1/30/2001	Prass			
	114	6,206,826	3/27/2001	Mathews et al.			
	115	6,224,549	5/1/2001	Drongelen			
	116	6,259,945	7/10/2001	Epstein et al.			
	117	6,266,558	7/24/2001	Gozani et al.			
	118	6,273,905	8/14/2001	Streeter			
	119	6,292,701	9/1/2001	Prass et al.			
	120	6,306,100	10/23/2001	Prass			
	121	6,312,392	11/1/2001	Herzon			
	122	6,325,764	12/4/2001	Griffith et al.			
	123	6,334,068	12/25/2001	Hacker			
	124	6,425,859	7/30/2002	Foley et al.			
	125	6,425,901	7/30/2002	Zhu et al.			
	126	6,451,015	9/17/2002	Rittman III et al.			
	127	6,466,817	10/1/2002	Kaula et al.			
	128	6,500,128	12/31/2002	Marino			
	129	6,564,078	5/13/2003	Marino et al.			
	130	6,579,244	6/17/2003	Goodwin			
	131	6,719,692	4/13/2004	Kleffner et al.			
	132	6,760,616	7/6/2004	Hoey et al.			
	133	6,796,985	9/28/2004	Bolger et al.			
	134	6,819,956	11/16/2004	DiLorenzo			
	135	6,849,047	2/1/2005	Goodwin			

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/Y.P.J	136	6,855,105	2/15/2005	Jackson III et al.			
	137	6,926,728	8/9/2005	Zucherman et al.			
	138	6,929,606	8/16/2005	Ritland			
	139	7,050,848	5/23/2006	Hocy et al.			
	140	7,079,883	7/18/2006	Marino et al.			
	141	7,089,059	8/8/2006	Pless			
	142	7,177,677	2/13/2007	Kaula et al.			
	143	7,207,949	4/24/2007	Miles et al.			
	144	2001/0039949	11/15/2001	Loubser			
	145	2001/0056280	12/27/2001	Underwood et al.			
	146	2002/0007129	1/17/2002	Marino James F.			
	147	2002/0010392	1/24/2002	Desai			
	148	2002/0072686	6/13/2002	Hoey et al.			
	149	2002/0161415	10/31/2002	Cohen et al.			
	150	2002/0193843	12/19/2002	Hill et al.			
	151	2003/0032966	2/13/2003	Foley et al.			
	152	2003/0105503	6/5/2003	Marino			
	153	2003/0225405	12/4/2003	Weiner			
	154	2004/0199084	10/7/2004	Kelleher et al.			
	155	2004/0225228	11/11/2004	Ferree			
	156	2005/0004593	1/6/2005	Simonson			
	157	2005/0004623	1/6/2005	Miles et al.			
	158	2005/0075578	4/7/2005	Gharib et al.			
	159	2005/0149035	7/7/2005	Pimenta et al.			
	160	2005/0182454	8/18/2005	Gharib et al.			
	161	2005/0192575	9/1/2005	Pacheco			
	162	2006/0025703	2/2/2006	Milcs et al.			

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U.S. Patent Documents

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/Y.P./	163	2006/0069315	3/30/2006	Miles et al.			
	164	2006/0224078	10/5/2006	Hoey et al.			
	165	2007/0016097	1/18/2007	Farquhar et al.			
	166	2007/0293782	12/20/2007	Marino			
	167	2008/0058606	3/6/2008	Miles et al.			
	168	2009/0124860	5/14/2009	Miles et al.			
	169	RE 34,390	9/28/1993	Culver			
	170	4,611,597	9/16/1986	Kraus			
	171	4,913,134	4/3/1990	Luque			
	172	5,171,279	12/15/1992	Mathews			
	173	5,509,893	4/23/1996	Pracas			
	174	5,571,149	11/5/1996	Liss et al.			
	175	5,775,331	7/7/1998	Raymond et al.			
	176	5,792,044	8/11/1998	Foley et al.			
	177	5,935,131	8/10/1999	Bonutti et al.			
	178	5,938,688	8/17/1999	Schiff			
	179	5,944,658	8/31/1999	Koros et al.			
	180	6,095,987	8/1/2000	Schmulewitz			
	181	6,126,660	10/3/2000	Dietz			
	182	6,152,871	11/6/2000	Foley et al.			
	183	6,468,205	10/22/2002	Mollenauer et al.			
	184	6,468,207	10/22/2002	Fowler Jr.			
	185	6,524,320	2/25/2003	DiPoto			
	186	6,535,759	3/18/2003	Epstein et al.			
	187	6,620,157	9/16/2003	Dabney et al.			
	188	6,810,281	10/26/2004	Brock et al.			
	189	6,847,849	1/25/2005	Mamo et al.			

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/Y.P./	190	6,902,569	6/7/2005	Parmer et al.			
	191	6,945,933	9/20/2005	Branch			
	192	7,047,082	5/16/2006	Schrom et al.			
	193	7,261,688	8/28/2007	Smith et al.			
	194	7,582,058	9/1/2009	Miles et al.			
	195	2002/0123780	9/5/2002	Grill et al.			
	196	2003/0149341	8/7/2003	Clifton			
	197	2005/0033380	2/10/2005	Tanner et al.			
	198	2006/0052828	3/9/2006	Kim et al.			
	199	2007/0198062	8/23/2007	Miles et al.			
	200	2008/0064976	3/13/2008	Kelleher et al.			
	201	2008/0064977	3/13/2008	Kelleher et al.			
	202	2008/0065178	3/13/2008	Kelleher et al.			
	203	2008/0071191	3/20/2008	Kelleher et al.			
	204	2008/0097164	4/24/2008	Miles et al.			
	205	2009/0138050	5/28/2009	Ferree			
	206	2009/0192403	7/30/2009	Gharib et al.			
	207	2009/0204016	8/13/2009	Gharib et al.			

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
/Y.P./	208	EP 0 972 538	1/19/2000	EPO				
	209	WO 00/38574	7/6/2000	WIPO				
	210	WO 01/37728	5/31/2001	WIPO				
	211	WO 05/013805	2/17/2005	WIPO				
	212	DE 299 08 259	7/15/1999	Germany				
	213	FR 2 795 624	1/5/2001	France				

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							Yes	No
/Y.P./	214	WO 00/66217	11/9/2000	WIPO				
	215	WO 00/67645	11/16/2000	WIPO				
	216	WO 03/037170	5/8/2003	WIPO				
	217	WO 05/030318	4/7/2005	WIPO				
	218	WO 06/042241	4/20/2006	WIPO				
	219	WO 02/054960	7/18/2002	WIPO				
	220	WO 03/005887	1/23/2003	WIPO				
	221	WO 03/026482	4/3/2003	WIPO				
	222	WO 06/066217	6/22/2006	WIPO				

Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
/Y.P./	223	"Electromyography System," International Search report from International Application No. PCT/US00/32329, April 27, 2001, 9 pages
	224	"Nerve Proximity and Status Detection System and Method," International Search Report from International Application No. PCT/US01/18606, October 18, 2001, 6 pages
	225	"Relative Nerve Movement and Status Detection System and Method," International Search Report from International Application No. PCT/US01/18579, January 15, 2002, 6 pages
	226	"System and Method for Determining Nerve Proximity Direction and Pathology During Surgery," International Search Report from International Application No. PCT/US02/22247, March 27, 2003, 4 pages
	227	"System and Methods for Determining Nerve Direction to a Surgical Instrument," International Search Report from International Application No. PCT/US03/02056, August 12, 2003, 5 pages
	228	"Systems and Methods for Performing Percutaneous Pedicle Integrity Assessments," International Search Report from International Application No. PCT/US02/35047, August 11, 2003, 5 pages
	229	"Systems and Methods for Performing Surgery Procedures and Assessments," International Search Report from International Application No. PCT/US02/30617, June 5, 2003, 4 pages
	230	Lenke et al., "Triggered Electromyographic Threshold for Accuracy of Pedicle Screw Placement," <i>Spine</i> , 1995, 20(4): 1585-1591
	231	"Brackmann II EMG System," <i>Medical Electronics</i> , 1999, 4 pages
	232	"Neurovision SE Nerve Locator/Monitor", RLN Systems Inc. Operators Manual, 1999, 22 pages
	233	"The Brackmann II EMG Monitoring System," Medical Electronics Co. Operator's Manual Version 1.1, 1995, 50 pages
	234	"The Nicolet Viking IV," Nicolet Biomedical Products, 1999, 6 pages

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Other Documents (include Author, Title, Date, and Place of Publication)			
Examiner Initial	Desig. ID	Document	
/V.P./	235	Anderson et al., "Pedicle screws with high electrical resistance: a potential source of error with stimulus-evoked EMG," <i>Spine</i> , Department of Orthopaedic Surgery University of Virginia, July 15, 2002, 27(14): 1577-1581	
	236	Bose et al., "Neurophysiologic Monitoring of Spinal Nerve Root Function During Instrumented Posterior Lumbar Spine Surgery," <i>Spine</i> , 2002, 27(13):1444-1450	
	237	Calancie et al., "Stimulus-Evoked EMG Monitoring During Transpedicular Lumbosacral Spine Instrumentation" <i>Spine</i> , 1994, 19(24): 2780-2786	
	238	Clements et al., "Evoked and Spontaneous Electromyography to Evaluate Lumbosacral Pedicle Screw Placement," <i>Spine</i> , 1996, 21(5): 600-604	
	239	Danesh-Clough et al., "The Use of Evoked EMG in Detecting Misplaced Thoracolumbar Pedicle Screws," <i>Spine</i> , Orthopaedic Department Dunedin Hospital, June 15, 2001, 26(12): 1313-1316	
	240	Darden et al., "A Comparison of Impedance and Electromyogram Measurements in Detecting the Presence of Pedicle Wall Breakthrough," <i>Spine</i> , Charlotte Spine Center North Carolina, January, 15, 1998, 23(2): 256-262	
	241	Ebraheim et al., "Anatomic Relations Between the Lumbar Pedicle and the Adjacent Neural Structures," <i>Spine</i> , Department of Orthopaedic Surgery Medical College of Ohio, October 15, 1997, 22(20): 2338-2341	
	242	Ford et al., "Electrical Characteristics of Peripheral Nerve Stimulators Implications for Nerve Localization," <i>Regional Anesthesia</i> , 1984, 9: 73-77	
	243	Glassman et al., "A Prospective Analysis of Intraoperative Electromyographic Monitoring of Pedicle Screw Placement With Computed Tomographic Scan Confirmation," <i>Spine</i> , 1995, 20(12): 1375-1379	
	244	Greenblatt et al., "Needle Nerve Stimulator-Locator: Nerve Blocks with a New Instrument for Locating Nerves," <i>Anesthesia & Analgesia</i> , 1962, 41(5): 599-602	
	245	Haig, "Point of view," <i>Spine</i> , 2002, 27(24): 2819	
	246	Haig et al., "The Relation Among Spinal Geometry on MRI, Paraspinal Electromyographic Abnormalities, and Age in Persons Referred for Electrodagnostic Testing of Low Back Symptoms," <i>Spine</i> , Department of Physical Medicine and Rehabilitation University of Michigan, September 1, 2002, 27(17): 1918-1925	
	247	Holland et al., "Higher Electrical Stimulus Intensities are Required to Activate Chronically Compressed Nerve Roots: Implications for Intraoperative Electromyographic Pedicle Screw Testing," <i>Spine</i> , Department of Neurology, Johns Hopkins University School of Medicine, January 15, 1998, 23(2): 224-227	
	248	Holland, "Intraoperative Electromyography During Thoracolumbar Spinal Surgery," <i>Spine</i> , 1998, 23(17): 1915-1922	
	249	Journee et al., "System for Intra-Operative Monitoring of the Cortical Integrity of the Pedicle During Pedicle Screw Placement in Low-Back Surgery: Design and Clinical Results," <i>Sensory and Neuromuscular Diagnostic Instrumentation and Data Analysis I</i> , 18th Annual International Conference on Engineering in Medicine and Biology Society, Amsterdam, 1996, pages 144-145	
	250	Maguire et al., "Evaluation of Intrapedicular Screw Position Using Intraoperative Evoked Electromyography," <i>Spine</i> , 1995, 20(9): 1068-1074	
	251	Martin et al., "Initiation of Erection and Semen Release by Rectal Probe Electrostimulation (RPE)," <i>The Journal of Urology</i> , The Williams & Wilkins Co., 1983, 129: 637-642	

Examiner Signature /V.P./	Date Considered 02/08/2010
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney Docket No. 023US2	Application No. 12/428,081
Information Disclosure Statement by Applicant (Use several sheets if necessary)			
(37 CFR §1.98(b))		Filing Date April 22, 2009	Group Art Unit 3739

Other Documents (include Author, Title, Date, and Place of Publication)			
Examiner Initial	Desig. ID	Document	
/Y.P./	252	Minahan et al., "The Effect of Neuromuscular Blockade on Pedicle Screw Stimulation Thresholds" <i>Spine</i> , Department of Neurology, Johns Hopkins University School of Medicine, October 1, 2000, 25(19): 2526-2530	
	253	Pither et al., "The Use of Peripheral Nerve Stimulators for Regional Anesthesia: Review of Experimental Characteristics Technique and Clinical Applications," <i>Regional Anesthesia</i> , 1985, 10:49-58	
	254	Raj et al., "Infraclavicular Brachial Plexus Block--A New Approach" <i>Anesthesia and Analgesia</i> , 1973, (52): 897-904	
	255	Raj et al., "The Use of Peripheral Nerve Stimulators for Regional Anesthesia," <i>Clinical Issues in Regional Anesthesia</i> , 1985, 1(4):1-6	
	256	Raj et al., "Use of the Nerve Stimulator for Peripheral Blocks," <i>Regional Anesthesia</i> , April-June 1980, pages 14-21	
	257	Raymond et al., "The Nerve Seeker: A System for Automated Nerve Localization," <i>Regional Anesthesia</i> , 1992, 17(3): 151-162	
	258	Shafik, "Cavernous Nerve Simulation through an Extrapelvic Subpubic Approach: Role in Penile Erection," <i>Eur. Urol.</i> , 1994, 26: 98-102	
	259	Toleikis et al., "The Usefulness of Electrical Stimulation for Assessing Pedicle Screw Replacements," <i>Journal of Spinal Disorder</i> , 2000, 13(4): 283-289	
	260	Anatomy of the Lumbar Spine in MED TM MicroEndoscopic Discectomy (1997 Ludann Grand Rapids MI), 14 pgs	
	261	Dirksmeier et al., "Microendoscopic and Open Laminotomy and Discectomy in Lumbar Disc Disease" <i>Seminars in Spine Surgery</i> , 1999, 11(2): 138-146	
	262	METRx Delivered Order Form, 1999, 13 pages	
	263	Medtronic Sofamor Danek "METRx™ MicroDiscectomy System," <i>Medtronic Sofamor Danek USA</i> , 2000, 21 pgs	
	264	Medtronic Sofamor Danek "METRx System Surgical Technique," 2004, 22 pages	
	265	"MetRx System MicroEndoscopic Discectomy: An Evolution in Minimally Invasive Spine Surgery," <i>Sofamor Danek</i> , 1999, 6 pages	
	266	Smith and Foley "MetRx System MicroEndoscopic Discectomy: Surgical Technique" <i>Medtronic Sofamor Danek</i> , 2000, 24 pages	
	267	"Sofamor Danek MED Microendoscopic Discectomy System Brochure" including Rapp "New endoscopic lumbar technique improves access preserves tissue" Reprinted with permission from: <i>Orthopedics Today</i> , 1998, 18(1): 2 pages	
	268	Japanese Patent Office JP Patent Application No. 2006-528306 Office Action with English Translation, June 10, 2009, 4 pages	
	269	Plaintiffs' Preliminary Invalidity Contentions re US Patents 7207949, 7470236 and 7582058, September 18, 2009, 19 pages	
	270	Plaintiffs' Preliminary Invalidity Contentions-Appendices, September 18, 2009, 191 pages	
	271	Plaintiffs' Supplemental Preliminary Invalidity Contentions re US Patents 7207949, 7470236, and 7582058, September 29, 2009, 21 pages	
	272	Plaintiffs' Supplemental Preliminary Invalidity Contentions-Appendices, September 29, 2009, 294 pages	

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(37 CFR §1.98(b))

Other Documents (include Author, Title, Date, and Place of Publication)			
Examiner Initial	Desig. ID	Document	
/Y.P./	273	Axon 501(k) Notification: Epoch 2000 Neurological Workstation, December 3, 1997, 464 pages	
	274	Foley and Smith, "Microendoscopic Discectomy," <i>Techniques in Neurosurgery</i> , 1997, 3(4):301-307	
	275	Medtronic Sofamor Danek "UNION™ / UNION-L™ Anterior & Lateral Impacted Fusion Devices: Clear choice of stabilization," <i>Medtronic Sofamor Danek</i> , 2000, 4 pages	
	276	NuVasive Vector™ Cannulae, 1 page (prior to Sept. 25 2003)	
	277	NuVasive Triad™ Tri-Columnar Spinal EndoArthrodesis™ via Minimally Invasive Guidance, 1 page (prior to Sept. 25 2003)	
	278	NuVasive Triad™ Cortical Bone Allograft, 1 page (prior to Sept. 25 2003)	
	279	NuVasive Vertebral Body Access System, 1 page (prior to Sept. 25 2003)	
	280	Marina, "New Technology for Guided Navigation with Real Time Nerve Surveillance for Minimally Invasive Spine Discectomy & Arthrodesis," <i>SpineLine</i> , 2000, page 39	
	281	NuVasive "INS-1 Screw Test," 2001, 10 pages	
	282	NuVasive letter re 510k Neuro Vision JJB System, October 16, 2001, 5 pages	
	283	NuVasive letter re 510k Guided Arthroscopy System, October 5, 1999, 6 pages	
	284	NuVasive letter re 510k INS-1 Intraoperative Nerve Surveillance System, November 13, 2000, 7 pages	
	285	"NuVasive™ Receives Clearance to Market Two Key Elem Minimally Invasive Spine Surgery System," November 27, 2001, 20 pages	
	286	Schick et al, "Microendoscopic lumbar discectomy versus open surgery: an intraoperative EMG study," <i>Eur Spine J</i> , 2002, 11: 20-26	
	287	NuVasive letter re: 510(k) for Neurovision JJB System (Summary), September 25, 2001, 28 pages	
	288	NuVasive letter re: Special 510(k) Premarket Notification: Neurovision JJB System (Device Description), July 3, 2003, 18 pages	
	289	NuVasive letter re: Special 510(k) Premarket Notification: Neurovision JJB System (Device Description), March 1, 2004, 16 pages	
	290	NuVasive letter re: Special 510(k) Premarket Notification: Neurovision JJB System (Device Description), May 26, 2005, 17 pages	
	291	NuVasive letter re: 510(k) Premarket Notification: Neurovision JJB System (Device Description), June 24, 2005, 16 pages	
	292	NuVasive letter re: Special 510(k) Premarket Notification: Neurovision JJB System (Device Description), September 14, 2006, 17 pages	
	293	NuVasive 510(k) Premarket Notification: Neurovision JJB System (Device Description), August 20, 2007, 8 pages	
	294	NuVasive letter re: 510(k) Premarket Notification: Guided Spinal Arthroscopy System (Device Description), February 1, 1999, 40 pages	
	295	NuVasive 510(k) Premarket Notification: Spinal System (Summary), April 12, 2004, 10 pages	
	296	NuVasive 510(k) Summary NIM Monitor, September 4, 1998, 4 pages	

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Other Documents (include Author, Title, Date, and Place of Publication)			
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/Y.P./	297	NuVasive correspondence re 510(k) Premarket Notification INS-1 Intraoperative Nerve Surveillance System: Section IV Device Description," pages 12-51 (prior to Sept. 25 2003)	
	298	NuVasive letter re 510(k) Premarket Notification INS-1 Intraoperative Nerve Surveillance System, August 24, 2000, 81 pages	
	299	Isley et al., "Recent Advances in Intraoperative Neuromonitoring of Spinal Cord Function: Pedicle Screw Stimulation Techniques," <u>American Journal of Electroneurodiagnostic Technology</u> , June 1997, 37(2): 93-126	
	300	Mathews et al., "Laparoscopic Discectomy with Anterior Lumbar Interbody Fusion," <u>SPINE</u> , 1995, 20(16): 1797-1802	
	301	Rose et al., "Persistently Electrified Pedicle Stimulation Instruments in Spinal Instrumentation: Techniques and Protocol Development," <u>SPINE</u> , 1997, 22(3): 334-343	
	302	Medtronic Sofamor Danek "UNION™ / UNION-L™ Anterior & Lateral Impacted Fusion Devices: Surgical Technique" Medtronic Sofamor Danek, 2001, 20 pages	
↓	303	Defendant's Disclosure of Asserted Claims and Preliminary Infringement Contentions Regarding USP 7207949; 7470236 and 7582058, August 31, 2009, 21 pages	

Examiner Signature /Yogesh Patel/	Date Considered 02/08/2010
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